

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-6 are pending in the present application. Independent Claim 6 is amended by the present amendment. Amendments to Claim 6 find support at least at FIG. 2, thus no new matter is added.

This amendment is submitted in accordance with 37 C.F.R. § 1.116, which after final rejection permits entering of amendments, canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. Claim 6 is amended to recite features similar to those already recited in Claim 1. Examiner Dinh suggested making this amendment to place this application in condition for allowance during a telephone interview with Applicants' representative on October 29, 2004. Furthermore, this amendment does not raise new issues because the feature added to Claim 6 is already recited in Claim 1 and has thus already been considered by the Examiner. Hence, the amended claim should be entered under 37 C.F.R. § 1.116 and according to MPEP § 714.12, because it raises no new issues and merely places the application in condition for allowance.

In the outstanding Office Action, Claim 6 was rejected under 35 U.S.C. § 112, second paragraph, and Claims 1-6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Baudu et al. (herein "Baudu") in view of Johnson et al. or Johnson.

Initially, Applicants and Applicants' representative gratefully acknowledge the courtesy of a personal interview with Examiner Dinh on February 10, 2005. During the interview, differences between the present invention and references cited in the outstanding Office Action were discussed. In particular, amendments to Claim 6 to place the application

in condition for allowance previously proposed by the Examiner were discussed. Claim amendments and comments discussed during the interview are reiterated below.

Regarding the rejection to Claim 6 under 35 U.S.C. § 112, second paragraph, Claim 6 is amended to more clearly recite antecedent basis for “said channels” in line 12, as suggested by the Examiner during the telephone interview of October 29, 2004. Accordingly, it is respectfully requested that rejection be withdrawn.

Further, during the personal interview, the Examiner agreed to indicate in the next Office Action that the IDS filed March 1, 2004 was considered.

Applicants respectfully traverse the rejection of Claims 1-6 under 35 U.S.C. § 103(a) as unpatentable over Baudu in view of Johnson et al. or Johnson.

Claim 1 is directed to a thrust reverser for a turbojet including, *inter alia*, a full authority digital engine control (FADEC) having two channels each connected to both electronic control units in order to receive the position data from each of the doors. Amended Claim 6 includes similar features.

In a non-limiting example, Applicant's Figures 1 and 2 show an example of a thrust reverser with two doors, 10a and 10b. Sensors 40/42/43 detect the position of the doors and communicate this position information to electronic control units, 18a and 18b. The electronic control units 18a, 18b may exchange data using messages 46 via an electrical link 30. Such data exchange between the two electronic units can facilitate comparison of data concerning the positions of the two doors. Each electronic control unit 18a, 18b can be electrically connected to both of the two channels of the FADEC. The channels of the FADEC are capable of exchanging data between each other.

Each electronic control unit 18a, 18b can send data concerning its own operating state and data from sensors 40, 42 and 43 over channels 20a, 20b of the FADEC. The channels of the FADEC can exchange data between each other. Each channel of the FADEC can have

the data for each set of sensors 40, 42 and 43 and each electronic control unit 18a, 18b. The FADEC can then transmit the data it receives to the airplane cockpit.

By means of data crossing over this way, the thrust reverser of the invention enables the thrust reverser control system to be continuously informed about the positions of both doors of the reverser and the operating states of both electronic units. This can continue to be the case under all breakdown configurations.¹

As discussed during the telephone interview and the personal interview, the disclosures of Baudu, Johnson et al. and Johnson do not teach or suggest a FADEC having two channels each connected to both electronic control units. Further, Baudu, Johnson et al. and Johnson do not describe any cross-connection between FADEC channels and electronic control units. Accordingly, it is respectfully submitted that Baudu, Johnson et al. and Johnson do not teach or suggest “a full authority digital engine control (FADEC) having two channels each connected to both electronic control units,” as recited in Claim 1 and as similarly recited in amended Claim 6.

Further, as discussed during the interview, it is believed that a *prima facie* case of obviousness has not been established, and Applicants respectfully traverse the assertion in the outstanding Office Action that “since a FADEC is connected to the individual control units, the channels in the FADEC would inherently be connected to each other to exchange data since a FADEC is a computer system and computer systems exchange data all the time in order to operate.”² Applicants respectfully note that the outstanding Office Action does not provide any extrinsic evidence, basis in fact or technical reasoning that a cross-connection between FADEC channels and electronic control units *necessarily flows* from the cited references, contrary to the requirements for a showing of inherency identified in MPEP § 2112. Further, to establish inherency, the examiner must make it clear that “the missing

¹ Specification at page 9, line 33, to page 10, line 2.

² Office Action at page 4, lines 6-10.

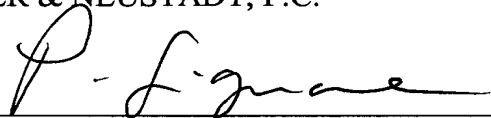
descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill.” In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999)(citations omitted). Applicants respectfully submit that a *prima facie* case of obviousness has not been established and respectfully request the rejection be withdrawn for that reason as well as the reasons described above.

Accordingly, Applicants respectfully submit that independent Claims 1 and 6, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599
Philippe J. C. Signore
Registration No. 43,922

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)